

**AUCTIONEER BOARD
MEETING MINUTES
APRIL 16, 2013**

PRESENT: Patrick McNamara, Timothy Sweeney, Jerry Thiel, James Wenzler

EXCUSED: Ronald Polacek

STAFF: Tom Wightman, Executive Director; Karen Rude-Evans, Bureau Assistant

CALL TO ORDER

Timothy Sweeney, Chair, called the meeting to order at 9:16 a.m. A quorum of four (4) members was confirmed.

ADOPTION OF AGENDA

MOTION: James Wenzler moved, seconded by Jerry Thiel, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JANUARY 23, 2013

MOTION: Patrick McNamara moved, seconded by James Wenzler, to approve the minutes of January 23, 2013 as written. Motion carried unanimously.

ADMINISTRATIVE UPDATES

Wisconsin Administrative Code Chapters SPS 128.04(6) – Rule Writing Status

MOTION: James Wenzler moved, seconded by Jerry Thiel, to approve the draft language and appoint Patrick McNamara to review and approve the final draft before forwarding on in the process. Motion carried unanimously.

CLOSED SESSION

Chair Timothy Sweeney read the motion to convene to closed session.

MOTION: Jerry Thiel moved, seconded by James Wenzler, to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Roll Call Vote: Patrick McNamara - yes; Timothy Sweeney-yes; Jerry Thiel - yes; James Wenzler - yes. Motion carried unanimously.

Open session recessed at 9:38 a.m.

RECONVENE TO OPEN SESSION

MOTION: Patrick McNamara moved, seconded by James Wenzler, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 9:57 a.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

MOTION: James Wenzler moved, seconded by Patrick McNamara, to reaffirm all motions made in closed session. Motion carried unanimously.

PROPOSED ORDER RESCINDING FINAL DECISION AND ORDER

MOTION: James Wenzler moved, seconded by Jerry Thiel, to adopt the order rescinding the Final Decision and Order dated January 23, 2013 in the disciplinary proceedings against **Donald A. Wagner, 12 AUC 007**. Motion carried unanimously.

PROPOSED STIPULATION(S), FINAL DECISION(S) AND ORDER(S)

MOTION: Timothy Sweeney moved, seconded by Jerry Thiel, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against **Mark Bingham and All American Sales and Auctions, LLC, 12 AUC 004**. Motion carried unanimously.

MOTION: James Wenzler moved, seconded by Patrick McNamara, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order submitted for the agenda of 4/16/2013 in the disciplinary proceedings against **Donald A. Wagner, 12 AUC 007**. Motion carried unanimously.

CASE CLOSING(S)

MOTION: James Wenzler moved, seconded by Patrick McNamara, to close case **12 AUC 014 for compliance gained (P2)**. Motion carried unanimously.

ADJOURNMENT

MOTION: James Wenzler moved, seconded by Jerry Thiel, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 9:58 a.m.